

CITY COMMISSION MINUTES

May 20, 2008

7:00 p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, May 20, 2008 with Mayor Mick Wunder presiding.

The following members of the Commission were present: Terry Heldstab, Mike Rhodes, Ken Talley, Jack Taylor and Mick Wunder. Staff present was: City Manager Rod Barnes, Assistant City Manager Mike Guinn, City Attorney Christina Cook, City Clerk Tricia Gowen, and City Attorney Catherine Logan.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

Commissioner Rhodes moved, seconded by Commissioner Taylor to approve the Consent Agenda. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. The Consent Agenda consisted of the following:

- a. Approval of the **May 6, 2008**, City Commission meeting minutes.
- b. The consideration of **Appropriation Ordinance** dated May 1, 2008, through May 14, 2008, in the amount of \$1,807,769.38.
- c. Monthly Reports
 1. Water Department
 2. Rolling Meadows Golf Course
 3. Codes Department
 4. Fire Department/EMS
 5. Recreation Department
 6. Police Department
 7. Personnel Department
- d. The consideration and approval of **Ordinance S-3010** authorizing the rezoning of property at 602, 604 and 610 West 14th Street (Lot 1 through 3, Block 3, Cuddy's Addition) from Mobile Home (MH) District to General Residential (RG). (MPC, by unanimous vote, recommends approval of rezoning) (Final Reading)
- e. The consideration and approval of **Pay Request** by Linder's Concrete Finishing for seven concrete bases with conduit and placement of the light posts for street lighting in Doc Hargreaves Additions #2 through #5, in the amount of \$6,300.00.
- f. The consideration and approval of **Pay Request** by Kaw Valley Engineering for professional services through April 20, 2008, for Spring Valley Road Corridor Improvements Project, in the amount of \$11,479.00.
- g. The consideration and approval of **Pay Request #4** by Kaw Valley Engineering for professional services through April 20, 2008, for Spring Valley Road-North of Ash and Spring Valley Drive, in the amount of \$21,230.60.

- h. The consideration and approval of **Pay Request #3** by HWS for services through March 29, 2008, on the Junction City Pavement Patching Project, in the amount of \$20,219.00.
- i. The consideration and approval of **Pay Request #11** by HNTB for services on the US 77 and K-18 Corridor Study through a partnership with KDOT, Geary County, City of Junction City and City of Milford, in an amount of \$8,228.48. (60% reimbursement by KDOT and 20% by Geary County, leaving 20% to pay by City or \$1,645.70)
- j. The consideration and approval of **Pay Request #7** by BG Consultants, Inc., for professional services completed through April 30, 2008, for the KDOT Ditch Drainage with Patch Project, in the amount of \$16,631.37. (KDOT will reimburse \$12,473.53)
- k. The consideration and approval of **Pay Request #9** by BG Consultants, Inc., for services completed through April 30, 2008, for Rucker Road-US 77 to Whitney, in the amount of \$11,425.02.
- l. The consideration and approval of **Pay Request #7** by J&K Contracting for services completed through May 7, 2008, for Michael's Run Addition, in the amount of \$96,480.11. (Project is 99.9% complete)
- m. The consideration and approval of **Pay Request #7** (final) by Smoky Hill Construction for services completed through April 30, 2008, for the interceptor sewer to serve Tom Neal Industrial Park, in the amount of \$25, 209.30.
- n. The consideration and approval of 2008 **Cereal Malt Beverage License** to Junction City General's Baseball Club, LLC, at 1002 West 13th.
- o. The consideration and approval of **Ordinance S-3011** to change Shoffner Road to West Acres Drive. (First Reading)
- p. The consideration and approval of **Donation of Right of Way and Temporary Construction Easements** by residents at 1803, 1807, 1815, 1819, 1821, 1831, 1932, 1834, 1901, 1902, 1903, 1909 and 1913 North Madison Street, and also 908 and 1912 North Adams Street for Buffalo Soldier Sidewalk Improvements.
- q. The consideration and approval of **Grant of Easement and Grant of Construction** from Randal and Patricia Tholstrup for the K-18 and Karns widening project, in the amount of \$1,775.00.
- r. The consideration and approval of **Grant of Easement and Grant of Construction** from James D. Alexander for the K-18 and Karns widening project, in the amount of \$1,193.00.
- s. The consideration and approval of the **2008 Property Assessment** by the Junction City Police Department Blight Enforcement Division to transfer balances owed by property owners, for services done by the City, to property taxes for those who have not paid for the services. Total amount outstanding over the last year is \$42,730.75.

APPOINTMENTS

- a. The consideration and appointment of Felice Pope to the Human Relations Commission for a three-year term. Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve the appointment of Felice Pope to the Human Relations Commission for a three-year term. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- b. The consideration and approval of recommendation of re-appointment of Ken Mortenson to the City of Manhattan Airport Advisory Board, as representative of Junction City, for a three-year term. Commissioner Talley moved, seconded by Commissioner Heldstab to approve the re-appointment of Ken Mortenson to the City of Manhattan Airport Advisory board as a representative of Junction City for a three-year term. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. Mayor Wunder clarified that this action is a recommendation to the Manhattan Airport Advisory Board. They will have to approve his re-appointment.

CELEBRATIONS

Steve Hoambrecker with Veolia Water covered the highlights of Veolia Water and their accomplishments. Mr. Hoambrecker informed the Commission that Public Works will celebrate Public Works Week with a lunch picnic on June 2nd at the Public Works Building (2324 North Jackson).

SPECIAL PRESENTATIONS

- a. Special presentation of Proclamation of National Public Works Week. Mayor Wunder read and presented Ray Ibarra, Veolia Water, with the Proclamation of National Pubic Works Week. Mr. Ibarra invited the Commission to attend the picnic on June 2nd at noon at Public Works.
- b. Special presentation to the City by the Junction City Tigers. **(REMOVED FROM AGENDA)**
- c. Special presentation of the Reynard Wright Excellence in Youth Leadership Scholarship Award. City Manager, Rod Barnes, presented the 2008 Reynard Wright Excellence in Youth leadership Scholarship Award to Courtney Hallenbeck. Ms. Hallenbeck thanked everyone for the scholarship award and her co-workers for keeping such a good secret! Ms. Hallenbeck plans to attend Kansas State University in the fall.
- d. Special presentation by Mayor Wunder and Officer Wigton to the winners of the May Yard of the Month:

1. Southeast	The Hauserman Family
2. Southwest	The Leis Family
3. Northeast	The Printy-Bundy Family
4. Northwest	The Whatley Family
5. West of Hwy 77	The Flowers Family

Mayor Wunder presented each family with a certificate and gift cards.

- e. Special presentation to Geary County Historical Society for their preservation of the Wetzel Cabin in conjunction with Historic Preservation Month. Jan Gray presented Galynn

Childs and Ron Harris with an award for their work on the preservation of the Wetzel Cabin.

YOUTH COMMISSION COMMENTS

Kyle Glaser informed the Commission that the Youth Commission put on a mock accident scene for students the day before prom. The mock accident was to educate the students on the effects of drinking and driving. Mr. Glaser stated that the event was successful and showed a slide show of the event. Mr. Glaser informed the Commission that their curfew campaign has been successful. The Youth Commission distributed business cards to Junction City High School students with the City's curfew regulations. The Police Department will continue to distribute the cards through out the summer. Mr. Glaser stated that this year's scholarship recipients are Allison Sherbert and Janet Chope. The Youth Commission plans to assist with the Craft Show on May 24th that will benefit the Sundown Salute.

UNFINISHED BUSINESS

- a. The consideration and approval of **Change Order #1** by J&K Contracting, LC requesting decrease of \$67,200.00, in Construction Management and Construction Observation Agreement from October 4, 2007, for Turkey Hollow and requests a separate agreement to remove all meter pits from the original contract and install new upon construction of buildings. (Original contract amount, \$604,228.04; new contract price will be \$537,028.04). Commissioner Heldstab moved, seconded by Commissioner Talley to approve Change Order #1 by J&K Contracting, LC requesting a decrease of \$67,200.00 in Construction Management and Construction Observation Agreement from October 4, 2007 for Turkey Hollow and requests a separate agreement to remove all meter pits from the original contract and install new upon construction of buildings (original contract amount - \$604,228.04; new contract price - \$537,028.04). Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: Taylor. Motion carried four to one.
- b. The consideration and approval of **Change Order #1** by J&K Contracting, LC requesting decrease of \$48,800.00, in original contract from October 5, 2007, for Turkey Ridge and requests a separate agreement to remove all meter pits from original contract and install new upon construction of buildings. (Original contract amount, \$315,694.30; new contract price will be \$266,894.30). Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve Change Order #1 by J&K Contracting, LC requesting a decrease of \$48,800.00 in original contract from October 5, 2007 for Turkey Ridge and requests a separate agreement to remove all meter pits from original contract and install new upon construction of buildings (original contract amount - \$315,694.30; new contract amount - \$266,894.30). Ayes: Heldstab, Rhodes, Talley, Wunder. Nays: Taylor. Motion carried four to one.

Commissioner Taylor stated that he has nothing against J&K Contracting; he feels the parties involved won't get done in a timely manner and money will be wasted.

NEW BUSINESS

- a. The consideration and approval of **Neighborhood Revitalization Applications** for the following:

1. Heartland Wheat, Inc. (DBA IHOP) to build a commercial unit on 310 E. Ash. Approximate cost is \$700,000.00. Project qualifies for 95% tax rebate for year 1; 85% tax rebate for year 2; 75% tax rebate for year 3; 50% tax rebate for year 4 and 25% tax rebate for year 5. (Construction to begin July, 2008, if not earlier). The Commission was informed that it will take approximately four to six months to complete; the building will be approximately 5,000 square feet and seat approximately 140 people. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the Neighborhood Revitalization Application from Heartland Wheat, Inc. (DBA IHOP) to build a commercial unit on 310 E. Ash at an approximate cost of \$700,000.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
2. Gold Star, LLC (Junghans Agency) to build a residential duplex at 220 West Home. Approximate cost is \$150,000.00. Project qualifies for 95% tax rebate for years 1 through 3; 80% tax rebate for year 4; 70% tax rebate for year 5; 60% tax rebate for year 6; 50% tax rebate for year 7; 40% tax rebate for year 8; 30% tax rebate for year 9 and 20% tax rebate for year 10. (Construction to begin July, 2008, if not earlier). Commissioner Rhodes moved, seconded by Commissioner Taylor to approve the Neighborhood Revitalization Application for Gold Star, LLC (Junghans Agency) to build a residential duplex at 220 West Home at an approximate cost of \$150,000.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. Commissioner Rhodes stated that he appreciated Terry Kidd's efforts to improve that part of town.
- b. The consideration and approval of **Tax Increment Financing (TIF) Application and Predevelopment Funding Agreement** between the City of Junction City and Goldenbelt Development, LLC. Kirk Short informed the Commission that the district is being designed to include the traffic light at Goldenbelt Boulevard and US Highway 77. He and his business partners plan to put money up front for legal services to make the project occur. Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve the Tax Increment Financing (TIF) Application and Predevelopment Funding Agreement between the City of Junction City and Goldenbelt Development, LLC. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- c. The consideration and approval of **R-2470** establishing the date and time of a public hearing for a Redevelopment District within the City. (Goldenbelt Development Retail Project). Commissioner Rhodes moved, seconded by Commissioner Heldstab to approve R-2470 establishing the date and time of a public hearing for a Redevelopment District within the City (Goldenbelt Development Retail Project). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- d. The consideration and approval of **Acceptance of Proposal** from Shawn Jones to purchase the building at 909 S. Washington to open a bike store (Biketek), in the amount of \$50,000.00. Mr. Jones informed that Commission that the store will have pedal bikes, mountain bikes, kids' bikes and perform bike repairs. Mr. Jones plans to open by March 2009. Commissioner Rhodes moved, seconded by Commissioner Taylor to approve the Acceptance of Proposal from Shawn Jones to purchase the building at 909 S. Washington to open a bike store (Biketek) in the amount of \$50,000.00. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

- e. The consideration and approval of **Award of Contract** for Buffalo Soldier Sidewalk Improvement Project (sidewalks, pavement, curb and gutter) (Bids will not be opened until May 19, 2008, therefore, will submit winning bid at meeting). City Engineer, Christina Cook, informed the Commission that the recommendation from the bid opening is to award the bid to J&K Contracting. Shannon Locke informed the Commission that he can meet the completion date of July 15, 2008. Commissioner Heldstab moved, seconded by Commissioner Talley to approve the Award of Contract for Buffalo Soldier Sidewalk Improvement Project (sidewalks, pavement, curb and gutter). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- f. The consideration and approval to seek funding through KDOT Federal-Aid Safety Program for fiscal years 2010 and 2011. Program is a 90/10 federal/local split with a cap on federal participation. The cost to the City has not yet been determined. City Engineer, Christina Cook, informed the Commission that the following intersections will be reviewed for the funding: Grant Avenue & Franklin Street; Chestnut Street & Franklin Street; 6th Street & Franklin Street; and 18th Street and Jackson Street. This action will authorize the City to compete for the funds for these intersections; there are no guarantees that the City will receive the funding. This action only authorizes the City to compete; there is no commitment at this time. Commissioner Heldstab moved, seconded by Commissioner Rhodes to approve seeking funding through KDOT Federal-Aid Safety Program for fiscal years 2010 and 2011 with a 90/10 federal/local split with a cap on the federal participation. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

Mayor Wunder asked Mrs. Cook to speak to the owner of a business at Ash and Washington on the southwest corner where big trucks and buses park that creates a traffic hazard.

- g. The consideration and approval of **Acceptance of FAA Project Application Rehabilitation** of the Taxi-lanes at Freeman Field Grant, in the amount of \$502,629.00. (Total grant, \$581,368.00; City share, \$78,739.00). City Engineer, Christina Cook, informed the Commission that if approved, the project would begin mid-July. Mrs. Cook plans to meet with hangar owners and the Airport Advisory Board before the project begins. Commissioner Rhodes moved, seconded by Commissioner Taylor to approve the Acceptance of FAA Project Application Rehabilitation of the Taxi-lanes at Freeman Field Grant in the amount of \$502,629.00 (grant total - \$581,368.00; City share - \$78,739.00). Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- h. The consideration and approval of the **Municipal Court Judge Salary Agreement** effective May 7, 2008, through May 6, 2011. City Clerk, Tricia Gowen, informed the Commission that the City and the Judge have agreed upon a three-year contract. By statute, the Commission sets the Municipal Court Judge's salary. Ms. Gowen made a recommendation to set the Judge's salary at an annual rate of \$45, 548.00. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the Municipal Court Judge Salary Agreement effective May 7, 2008 through May 6, 2011. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.
- i. The consideration and approval of request by RWD #1 to add a meter to a rental house on Old 40 Hwy. **(TABLED)**

- j. The consideration and approval of Approval of Bids to Ben Kitchens Painting for the Buffalo Soldier Housing Area for rehabilitation work under the CDBG Housing Rehabilitation Grant in the amounts of \$18,760.00 for 2005 N. Adams; \$18,970.00 for 1904 N. Adams and \$36,230.00 for 1803 N. Madison. City Manager, Rod Barnes, informed the Commission that this project requires some match from the home owners. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve the bids to Ben Kitchens Painting for the Buffalo Soldier Housing Area for rehabilitation work under the CDBG Housing Rehabilitation Grant in the amount of \$18,760.00 for 2005 N. Adams; \$18,970.00 for 1904 N. Adams and \$36,230.00 for 1803 N. Madison. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

GENERAL DISCUSSION

(The Commission requests that comments be limited to a maximum of five minutes for each person).

Tom Strum – 1313 Sunshine Drive, Junction City, KS. Mr. Strum informed the Commission that he had a blight issue with the property located south of his. Mr. Strum said there are rocks, boulders actually, sitting on the property that have been there for at least two years. He stated that he had contacted Mr. Hurley last year and Mr. Hurley stopped the construction. Mr. Strum stated that he believes it will cost a lot of money to remove the rock and wants to know what the City can do to remedy the problem. Acting Codes Administrator, Mark Karmann, informed the Commission that Mr. Hurley issued a stop work order for this property. The contractor does not reside in Junction City any longer and is out of business. The contract was not a licensed contractor. Mr. Karmann will research the problem and inform the Commission of his findings and how the problem will be addressed.

COMMISSIONER COMMENTS

Commissioner Taylor stated that he has heard several comments that the public is ready for the Junction City Generals baseball to begin this season.

Commissioner Rhodes thanked Courtney Hallenbeck's parents for the fine job they did in raising Courtney. Commissioner Rhodes thanked the City staff and everyone involved in preparing for the Run for the Wall event. Everyone he spoke to at the event appreciated how everything was set up. The City was presented with an official MIA/POW flag.

Mayor Wunder thanked Commissioner Rhodes and his efforts and time he took to assist in the planning of the Run for the Wall event. Mayor Wunder reminded the public that there are still board vacancies – Public Housing, Historic Preservation Board, Golf Advisory Board, and Airport Board. If anyone is interested, they should stop by the Customer Service Center to complete a board interest card. Mayor Wunder informed the public of the following dates:

Budget hearings will continue on May 21st and May 22nd

Brown Bag Concert in Heritage Park – May 21st

Craft Show benefiting Sundown Salute – May 24th (Municipal Building)

Concert – May 25th

General's Baseball practice open to the public – May 29th

General's first baseball game – May 30th
Opening game for the Junction City Spartans football – June 7th
Volunteers are needed for the Sundown Salute activities. Chief Story informed everyone that the website has all of the information concerning the activities. If anyone would like to volunteer, please contact the Police Department.

STAFF COMMENTS

Assistant City Manager Mike Guinn stated the Jackson Street between 5th and 6th Streets will be closed on Wednesday, May 21st for construction.

EXECUTIVE SESSION

Commissioner Rhodes moved, seconded by Commissioner Talley to adjourn into executive session at 8:28 p.m. to reconvene at 8:40 p.m. to discuss matters related the acquisition of real estate. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried. Included in the Executive Session were the Commission, City Manager, Assistant City Manager, City Engineer, and City Attorney.

Commissioner Heldstab moved, seconded by Commissioner Rhodes to reconvene into regular session at 8:40 p.m. having made no decisions nor taken any action while in executive session. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

City Attorney, Katie Logan, informed the Commission that R-2472 is the first stage for acquisition of real estate for imminent domain to acquire land for the K-18 street improvements. Commissioner Heldstab moved, seconded by Commissioner Taylor to approve R-2472. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

ADJOURNMENT

Commissioner Rhodes moved, seconded by Commissioner Talley to adjourn at 8:43 p.m. Ayes: Heldstab, Rhodes, Talley, Taylor, Wunder. Nays: None. Motion carried.

APPROVED AND ACCEPTED THIS 3rd DAY OF JUNE, 2008 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR MAY 20, 2008.


Tricia Gowen, City Clerk


Mick Wunder, Mayor